



08-08-05

DAC
JPH

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al. Confirmation No.: 2599
Serial No.: 09/940,599 Examiner: J. Jastrzab
Filing Date: August 27, 2001 Group Art Unit: 3762
Docket No.: 1201.1114101 Customer No.: 21691
For: CANISTER DESIGNS FOR IMPLANTABLE CARDIOVERTER-DEFIBRILLATORS

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.313(c)(2) TO WITHDRAW APPLICATION
FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314497265 US, in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of August 2005.

By Kathleen L. Boekley
Kathleen L. Boekley

Dear Sir:

Applicants hereby petition for the withdrawal of the above-referenced application from issue under 37 C.F.R. § 1.313(c)(2) to consider a Request for Continued Examination (RCE) in compliance with § 1.114. The issue fee for this application was paid on July 14, 2005. Applicant has not yet been notified when this application is scheduled to issue.

In the Amendment dated June 4, 2004, Figure 23B was indicated as amended to include a missing reference number, and eleven (11) sheets of formalized replacement drawings were filed including Figures 1-22. However, this case was initially filed with Figures 1 through 26C. As such, Figures 23A-26C were inadvertently not included with the filing of the replacement drawings, and as such, the Amendment to Figure 23B was not completed, and Figures 23A-26C remain to be formalized.

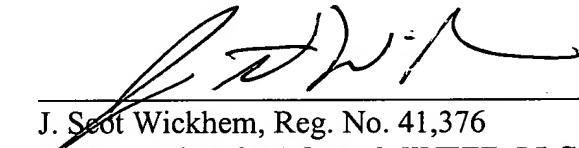
A Request for Continued Examination in compliance with § 1.114 is being filed herewith including an amended Fig. 23B and submitting a complete set of 15 sheets of formalized drawings including all of the Figures 1 through 26C. As such, Applicants respectfully request that the application be issued with the amended and formalized drawings file with the RCE.

The petition fee under 37 C.F.R. § 1.17(h) of \$130.00 is submitted herewith. Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

If a phone conference is believed necessary to resolve any outstanding issues with respect to the above discussion, the Examiner is respectfully requested to contact the undersigned attorney at 612-677-9050.

Respectfully submitted,
Gust H. Bardy et al.
By their Attorney,

Dated: August 5, 2005


J. Scott Wickhem, Reg. No. 41,376
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

Attachment: RCE and Amendment